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10/505190

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER		
WSUR123484		
U.S. APPLICATION NO. (if known see 37 C.F.R. 1.5)		
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	EARLIEST PRIORITY DATE CLAIMED
PCT/US03/05026	20 February 2003	22 February 2002
TITLE OF INVENTION		
METHODS FOR INCREASING THE AMOUNT OF PROTEIN IN POTATO TUBERS		
APPLICANT(S) FOR DO/EO/US		
RYAN, Clarence A.; NARVAEZ, Javier; PEARCE, Gregory L.; MCGURL, Barry F.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.

2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.

3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.

4. A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.

5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))

a. is attached hereto (required only if not communicated by the International Bureau).

b. has been communicated by the International Bureau.

c. is not required, as the application was filed in the United States Receiving Office (RO/US).

6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).

LAW OFFICES OF
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, Washington 98101
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7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))

a. are attached hereto (required only if not communicated by the International Bureau).

b. have been communicated by the International Bureau.

c. have not been made; however, the time limit for making such amendments has NOT expired.

d. have not been made and will not be made.

8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).

9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).

10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern document(s) or information included:

11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.

12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.

13. A FIRST preliminary amendment.

14. A SECOND or SUBSEQUENT preliminary amendment.

15. A substitute specification.

16. A change of power of attorney and/or address letter.

17. A computer-readable form of the sequence listing in accordance with 35 U.S.C. 1.821 – 1.825. The paper and computer-readable copies of the sequence listing are the same (37 C.F.R. § 1.82(f), and do not contain new matter (37 C.F.R. § 1.821(g)).

18. A second copy of the published international application under 35 U.S.C. 154(d)(4).

19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).

20. Other items or information:

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<u>X</u> 21. The following fees are submitted:				CALCULATIONS PTO USE ONLY																															
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5):																																			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO\$1,080.00																																			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00																																			
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$770.00																																			
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$730.00																																			
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)\$100.00																																			
ENTER APPROPRIATE BASIC FEE AMOUNT = <u>\$730</u>																																			
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).																																			
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 2px;">CLAIMS</th> <th style="text-align: left; padding: 2px;">NUMBER FILED</th> <th style="text-align: left; padding: 2px;">NUMBER EXTRA</th> <th style="text-align: left; padding: 2px;">RATE</th> <th style="text-align: left; padding: 2px;"></th> <th style="text-align: left; padding: 2px;"></th> </tr> </thead> <tbody> <tr> <td style="padding: 2px;">Total claims</td> <td style="padding: 2px;">38 - 20 =</td> <td style="padding: 2px;">18</td> <td style="padding: 2px;">X \$18.00</td> <td style="padding: 2px;">\$324</td> <td style="text-align: left; padding: 2px;"></td> </tr> <tr> <td style="padding: 2px;">Independent claims</td> <td style="padding: 2px;">5 - 3 =</td> <td style="padding: 2px;">2</td> <td style="padding: 2px;">X \$86.00</td> <td style="padding: 2px;">\$172</td> <td style="text-align: left; padding: 2px;"></td> </tr> <tr> <td colspan="3" style="padding: 2px;">MULTIPLE DEPENDENT CLAIMS(S) (if applicable)</td> <td style="padding: 2px;">+ \$290.00</td> <td style="padding: 2px;">\$0</td> <td style="text-align: left; padding: 2px;"></td> </tr> <tr> <td colspan="6" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS = <u>\$1,356</u></td> </tr> </tbody> </table>						CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	38 - 20 =	18	X \$18.00	\$324		Independent claims	5 - 3 =	2	X \$86.00	\$172		MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$290.00	\$0		TOTAL OF ABOVE CALCULATIONS = <u>\$1,356</u>					
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TOTAL OF ABOVE CALCULATIONS = <u>\$1,356</u>																																			
Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.																																			
SUBTOTAL = <u>\$1,356</u>																																			
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>X</u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).																																			
TOTAL NATIONAL FEE = <u>\$1,356</u>																																			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property																																			
TOTAL FEES ENCLOSED = <u>\$1,356</u>																																			
				Amount to be: refunded	\$																														
				charged	\$																														

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X a. Check No.157519 in the amount of \$1,356 to cover the above fees is enclosed.

 b. Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.

X c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Customer No. 26389

Barry F. McGurl
CHRISTENSEN O'CONNOR JOHNSON KINDNESS^{PLLC}
1420 Fifth Avenue
Suite 2800
Seattle, WA 98101

Respectfully submitted,

CHRISTENSEN O'CONNOR
JOHNSON KINDNESS^{PLLC}



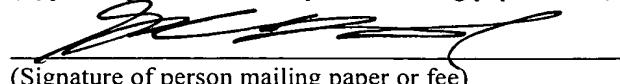
Barry F. McGurl
Registration No. 43,340
Direct Dial No. 206.695.1775

EXPRESS MAIL CERTIFICATE

Express Mail No.: EV 431290462 US
Date of Deposit: August 19, 2004

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen
(Typed or printed name of person mailing paper or fee)


(Signature of person mailing paper or fee)

BFM:tmm

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